

86th Legislative Session – 2011

Committee: House Local Government

Thursday, February 24, 2011

P - Present
E - Excused
A - Absent

Roll Call

P Deelstra
P Feickert
P Kloucek
P Magstadt
P Munsterman
P Olson (Betty)
P Rausch
P Schrempp
P Tornow
P Tulson
P Venner
P Cronin, Vice-Chair
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Mark Kirkeby, Chairman.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 22, 2011

Moved by: Kloucek
Second by: Schrempp
Action: Prevailed by voice vote.

SB 67: reduce the minimum size for improvement districts.

Presented by: Representative Charles Turbiville
Proponents: Toby Morris, Northland Securities, Pierre

MOTION: DO PASS SB 67

Moved by: Venner
Second by: Deelstra
Action: Prevailed by roll call vote. (9-1-3-0)

Voting Yes: Deelstra, Feickert, Magstadt, Munsterman, Schrempp, Tulson, Venner, Cronin, Kirkeby

Voting No: Kloucek

Excused: Olson (Betty), Rausch, Tornow

Gavel passed to Justin Cronin, Vice Chair

SB 68: authorize investment of certain public funds in bonds issued by political subdivisions or bonding authorities of the state.

Presented by: Representative Charles Turbiville
Proponents: Senator Bob Gray
Doug Hajek, Self Rapid City
Yvonne Taylor, SD Municipal League
Bob Wilcox, SD Association of County Commissioners
Toby Morris, Northland Securities, Pierre

MOTION: AMEND SB 68

68fb

On page 1 of the Senate engrossed bill, delete lines 6 to 15, inclusive, and insert:

"

In addition to the investments permitted by § 4-5-6, any public funds which are not needed for current operating expenses may be invested in:

- (1) Direct obligations of any county, municipality, or school district in the state; and
- (2) Bonds issued by the South Dakota Housing Development Authority, the South Dakota Health and Educational Facilities Authority, or the South Dakota Building Authority.

The investments shall be registered in the name of the political subdivision or authority or held under a custodial agreement at a bank. The investments shall be rated at the time of purchase within the two highest general classifications established by a rating service of nationally recognized

expertise in rating bonds of states and their political subdivisions. Other than permanent, trust, retirement, building, and depreciation reserve funds, such securities shall mature with eighteen months from the date of purchase or be redeemable at par at the option of the holder within eighteen months from the date of purchase.

Moneys in any bond redemption fund may be invested only in the types of investments listed in § 4-5-6. The investments shall be due and payable on or before the date when the bonds for the payment of which the bond redemption fund was created become due and payable, except bonds of the United States redeemable at par.

Section 2. That § 13-16-18 be amended to read as follows:

13-16-18. All accumulations in all school district funds shall be deposited in lawful depositories in checking accounts, savings accounts, or time deposits, or invested, except as hereinafter limited, in ~~bonds~~:

- (1) ~~Bonds~~, registered warrants, or promissory notes of the school district making ~~such the~~ investment, or securities issued and guaranteed by the United States government; or
- (2) Investments authorized by section 1 of this Act.

The interest accruing on ~~such the~~ investment or deposit shall be credited to the respective fund or the general fund. Other than permanent, trust, retirement, building, and depreciation reserve funds, such securities shall mature within eighteen months from the date of purchase or be redeemable at par at the option of the holder within eighteen months from the date of purchase.

Moneys in any bond redemption fund may be invested only in ~~such of the above listed the~~ types of ~~securities as will become~~ investments listed in subdivision (1). The investments shall be due and payable on or before the date when the bonds for the payment of which ~~such the~~ bond redemption fund was created become due and payable, except bonds of the United States redeemable at par.

In carrying out the provisions of this section, all transactions shall be by resolutions of the board, which resolutions shall be regularly filed and recorded with the business manager as a public record.
".

On page 2, delete lines 1 to 13, inclusive.

Moved by: Rausch
Second by: Munsterman
Action: Prevailed by voice vote.

MOTION: DO PASS SB 68 AS AMENDED

Moved by: Rausch
Second by: Munsterman
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Rausch, Schrempp, Tulson, Venner, Cronin, Kirkeby

Voting No: Tornow

Excused: Olson (Betty)

MOTION: AMEND TITLE OF SB 68

68ftb

On page 1, line 1, of the Senate engrossed bill, delete everything after "of" and insert "public funds in bonds issued by or direct obligations of certain political subdivisions or bonding authorities of the state."

On page 1, delete line 2.

Moved by: Rausch
Second by: Munsterman
Action: Prevailed by voice vote.

SB 69: revise certain provisions relating to county veterans memorials.

Presented by: Representative Charles Turbiville
Proponents: David Carlisle, Self, Ft. Pierre
Royce Loesch, American Legion
Gary Knudson, Veterans of Foreign Wars
Steve Harding, Military and Veterans Affairs
Wade Hubbard, State Veterans Commission
Bob Wilcox, SD Association of County Commissioners

MOTION: DO PASS SB 69

Moved by: Deelstra
Second by: Tornow
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

SB 89: clarify a municipality's ability to assess a fee for street maintenance.

Presented by: Senator Bob Gray

Proponents: Laurie Gill, Mayor City of Pierre
Linsdey Riter-Rapp, City of Pierre
Yvonne Taylor, SD Municipal League

MOTION: DO PASS SB 89

Moved by: Venner

Second by: Munsterman

Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

SB 98: revise certain provisions concerning the employment of a city manager and to declare an emergency.

Presented by: Senator Mike Vehle

Proponents: Yvonne Taylor, SD Municipal League

MOTION: DO PASS SB 98

Moved by: Kirkeby

Second by: Deelstra

Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tulson, Venner, Cronin, Kirkeby

Voting No: Tornow

SB 113: revise certain provisions regarding the notice requirements for changes in zoning requested by landowners.

Presented by: Senator Jean Hunhoff

MOTION: DO PASS SB 113

Moved by: Rausch
Second by: Kirkeby
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tulson, Venner, Cronin, Kirkeby

Voting No: Tornow

SB 120: revise the amount of compensation that water user district directors may receive.

Presented by: Representative Bernie Hunhoff
Proponents: Margo Northrup, SD Association of Rural Water Systems

MOTION: DO PASS SB 120

Moved by: Magstadt
Second by: Schrempp
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Deelstra, Feickert, Kloucek, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

SB 122: revise certain provisions relating to the expenditure of water user district funds.

Presented by: Representative Bernie Hunhoff
Proponents: Margo Northrup, SD Association of Rural Water Systems

MOTION: DO PASS SB 122

Moved by: Tulson
Second by: Tornow
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Deelstra, Feickert, Magstadt, Munsterman, Olson (Betty), Rausch, Schrempp, Tornow, Tulson, Venner, Cronin, Kirkeby

Voting No: Kloucek

SB 130: provide a procedure for the Secretary of State to conduct certain local elections when an emergency exists.

Presented by: Senator Todd Schlekeway
Proponents: Jason Gant, Secretary of State

MOTION: DO PASS SB 130

Moved by: Rausch
Second by: Deelstra
Action: Prevailed by roll call vote. (9-4-0-0)

Voting Yes: Deelstra, Magstadt, Munsterman, Olson (Betty), Rausch, Tornow, Tulson, Cronin, Kirkeby

Voting No: Feickert, Kloucek, Schrempp, Venner

MOTION: ADJOURN

Moved by: Rausch
Second by: Deelstra
Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Justin Cronin, Vice Chair